IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD PERALTA, Inmate at the Platte County Detention Facility, et al.,	))))	4:08CV3268
Petitioners,	))	**MEMORANDUM AND ORDER**
v.	))	
IMMIGRATION AND CUSTOMS ENFORCEMENT IMMIGRATION NATIONAL SECURITY,	))))	
Respondent.	)	

This matter is before the court on its own motion. The court finds that this matter should be dismissed as to each Petitioner for failure to prosecute this matter diligently and for failure to comply with this court's orders.

On December 31, 2008, Petitioners filed a Petition for Writ of Habeas Corpus. (Filing No. 1.) In a Memorandum and Order dated January 15, 2009, each Petitioner was ordered to "submit the $5.00 filing fee or a request to proceed in forma pauperis" by February 17, 2009. (Filing No. 10.) This Memorandum and Order was subsequently returned to the court as undeliverable for each of the following Petitioners: Efrain Carrillo Quintero (filing no. 11); Ricardo Lozada (filing no. 12); Edwin D. Garcia (filing no.13); Javier Chavez (filing no. 14); Joel Luna Guerrero (filing no. 15); Edgar Ortiz (filing no. 16); and Isabel Servin (filing no. 17) (together, the "Returned Mail Petitioners"). In a Memorandum and Order dated February 3, 2009, the Returned Mail Petitioners were ordered to apprise the court of their current addresses by March 4, 2009. (Filing No. 18.)

No Petitioner has complied with this court's orders. Therefore, the court finds

that this matter should be dismissed as to the Returned Mail Petitioners for failure to comply with the court's February 3, 2009, Memorandum and Order (filing no. 18), and dismissed as to the remaining Petitioners (Richard Peralta, Oscar Romero, and Jaime Rafael Santos) for failure to comply with the court's January 15, 2009, Memorandum and Order (filing no. 10).

IT IS THEREFORE ORDERED that:

1.   This matter is dismissed without prejudice as to each Petitioner for failure to prosecute this matter diligently and for failure to comply with this court's orders.

2.   A separate judgment will be entered in accordance with this Memorandum and Order.

March 30, 2009.   BY THE COURT:

                                          s/ Joseph F. Bataillon
                                          Chief United States District Judge